

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PHIEU VAN NGUYEN,

Defendant.

8:23-CR-238

ORDER

This matter is before the Court on the defendant's pro se Motion for Early Termination of Supervised Release. [Filing 3](#). However, the Motion is unsigned. Federal Rule of Criminal Procedure 49(b)(4) provides, "Every written motion and other paper must be signed . . . by a person filing a paper if the person is not represented by an attorney. . . . The court must strike an unsigned paper unless the omission is promptly corrected after being called to the . . . person's attention."

Moreover, the Court notes its reluctance to interfere with the final judgment previously imposed against the defendant. On November 24, 2008, the defendant was sentenced to 240 months in prison to be followed by a three-year term of supervised release for engaging in a continuing criminal enterprise in violation of 21 U.S.C § 848. *See* [Filing 1 at 19](#). The defendant received the statutory minimum term of incarceration for this crime. *See id.* § 848(a). Under these circumstances, early termination of supervised release is unlikely. Nonetheless, if the defendant wants the Court to rule on his Motion, he must refile the Motion in compliance with Federal Rule of Criminal Procedure 49(b)(4). Accordingly,

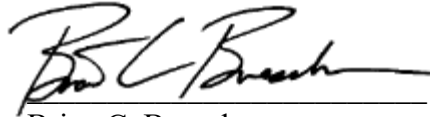
IT IS ORDERED:

1. The Motion for Early Termination of Supervised Release, [Filing 3](#), is held in abeyance;
and

2. The defendant shall resubmit a signed Motion within 30 days of this Order, or the Motion
will be stricken.

Dated this 26th day of September, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "B. C. Buescher", written over a horizontal line.

Brian C. Buescher
United States District Judge